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Proposed Class Counsel

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NICKOLAS TSUI and WILLIAM LUGO,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

UNIVERSAL SERVICES OF AMERICA,
LP, ALLIED UNIVERSAL TOPCO LLC,
ALLIED UNIVERSAL BENEFITS
COMMITTEE, and JOHN AND JANE
DOES 1-50,

Defendants.

Case No. 8:22-cv-01158-JWH-JDE

**PLAINTIFFS' NOTICE OF
MOTION AND UNOPPOSED
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT AGREEMENT**

Hearing: February 28, 2025

Time: 9:00 a.m.

Judge: Hon. John W. Holcomb

Ctrm: 9D

[Concurrently filed Declarations of
Erich P. Schork, Andrew W. Ferich,
and Richard W. Simmons]

TO THE COURT AND ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that on February 28, 2025 at 9:00 a.m., or as soon thereafter as counsel may be heard, before the Honorable John W. Holcomb, in Courtroom 9D of the United States District Court for the Central District of California, located at 411 W. 4th Street, Santa Ana, California 92701, Plaintiffs Nickolas Tsui and William Lugo (“Plaintiffs”) will and hereby do move for an Order:

1. Granting preliminary approval of the Settlement Agreement between Plaintiffs and Defendants, a copy of which is attached as Exhibit 1 to the concurrently filed Memorandum in Support of Plaintiffs’ Motion for Preliminary Approval;
2. Certifying the proposed Settlement Class for settlement purposes only;
3. Appointing and approving Analytics Consulting LLC as the Settlement Administrator;
4. Approving the form and manner of the Settlement Notice to the Settlement Class as set forth in the Settlement Agreement, including its Exhibit A;
5. Appointing Plaintiffs as Class Representatives;
6. Appointing Andrew W. Ferich and Robert Ahdoot of Ahdoot & Wolfson, PC, and Erich P. Schork of the Roberts Law Firm, as Class Counsel for the Settlement Class;
7. Approving the Parties’ agreed-upon Plan of Allocation, submitted as Exhibit B to the Settlement Agreement; and
8. Setting a Final Approval Hearing, in Courtroom 9D at 411 W. 4th Street, Santa Ana, California 92701, for a date and time to be determined as the Court’s schedule permits, as well as all related Settlement deadlines.

This Motion and the Settlement satisfy the requirements of Federal Rule of Civil Procedure 23 on the grounds the Settlement is fair, adequate, and reasonable, and that the

1 Settlement Notice and notice plan provides the best notice practicable under the
2 circumstances in this matter.

3 This Motion is based on this Notice of Motion and Motion; the supporting
4 Memorandum of Points and Authorities; the Declaration of Andrew W. Ferich; the
5 Declaration of Erich P. Schork; the Declaration of Richard W. Simmons; the [Proposed]
6 Preliminary Approval Order; the pleadings on file herein; and such other and further
7 material to be offered at the hearing.

8 **L.R. 7.3 Certification:** This Motion is made following the telephonic conference
9 of counsel on January 24, 2025, pursuant to Local Rule 7-3.

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11 Dated: January 31, 2025

Respectfully submitted,

12 /s/ Robert Ahdoot
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